

Report Date: June 17, 2008

PROB 12B
(7/93)

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

JUN 20 2008

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Ricky Michael Leingang

Case Number: 2:02CR02077-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley

Date of Original Sentence: 11/19/2002

Type of Supervision: Supervised Release

Original Offense: Possession With Intent to
Distribute a Controlled Substance
(Methamphetamine), 21 U.S.C. § 841(a)(1);
Possession of Firearm by Person Under Indictment,
18 U.S.C. § 922(n)

Date Supervision Commenced: 05/17/2007

Original Sentence: Prison - 60 months;
TSR - 36 months

Date Supervision Expires: 05/16/2010

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall not associate with known street gang members and gang affiliates.
- 18 You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.
- 19 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

CAUSE

Mr. Leingang was arrested on January 15, 2008, for the crimes of first degree robbery, first degree kidnaping, and second degree assault. On June 9, 2008, the above charges were dismissed without prejudice and Mr. Leingang was released from custody. The undersigned officer spoke with the prosecuting attorney regarding the above-mentioned cases. The prosecuting attorney reported that Mr. Leingang was not directly involved in these crimes. Mr. Leingang did provide information that lead to additional arrests in these crimes, which partially influenced the prosecutor's decision to release Mr. Leingang.

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Re: Leingang, Ricky Michael**June 17, 2008****Page 2**

The undersigned officer met with Mr. Leingang and expressed concerns about his involvement in the situation. Mr. Leingang was presented with the above modifications to address his poor choices and association with known gang members. Mr. Leingang, upon the advice of his attorney, has agreed to these modifications and understands that any further violations would result in a Court appearance before Your Honor.

It is, therefore, respectfully recommended that Mr. Leingang's conditions be modified and the alleged violations contained in petition dated January 30, 2008, be dismissed. It is hoped the actions taken by the undersigned meet the expectations of the Court. Please notify the undersigned if Your Honor would require a different course of action.

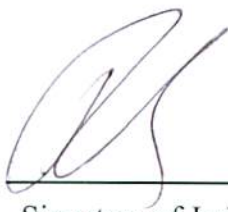
I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

6/17/08
S - N i
Samuel Najera
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer
June 20, 2008

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 20 2008

JAMES R. LARSEN, CLERK
SPOKANE, WASHINGTON DEPUTY


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:


- 17 You shall not associate with known street gang members and gang affiliates.
- 18 You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.
- 19 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

Witness:



Samuel Najera
U.S. Probation Officer

Signed:



Ricky Michael Leingang
Probationer or Supervised Releasee

June 17, 2008

Date